

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A process for isolating nucleic acid from a nucleic acid-containing sample, which comprises:

- (a) providing a chaotrope;
- (b) providing a nucleic acid binding solid phase capable of binding nucleic acid in the presence of the chaotrope;
- (c) providing a source of  $\text{NH}_4^+$  or  $\text{NH}_3$ ;
- (d) contacting the sample with the nucleic acid binding solid phase in the presence of a liquid phase comprising the chaotrope and the source of  $\text{NH}_4^+$  or  $\text{NH}_3$ , wherein the liquid phase has a PH in the range of 8.5 to 9.5; and
- (e) optionally separating the solid phase with the nucleic acid bound thereto from the liquid phase.

2. (Currently Amended) The A-process according to claim 1, which further comprises a step of eluting the nucleic acid from the solid phase.

3. (Currently Amended) A-The process according to claim 1, wherein the sample comprises a biological sample.

4. (Currently Amended) A-The process according to claim 3, wherein the biological sample comprises a cellular sample.

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5. (Currently Amended) A-The process according to claim 3, which further comprises a lysis step comprising subjecting the biological sample to conditions to lyse the sample.

6. (Currently Amended) A-The process according to claim 5, wherein the  $\text{NH}_4^+$  or  $\text{NH}_3$  is present during the lysis step.

7. (Currently Amended) A-The process according to claim 1, wherein the nucleic acid to be isolated comprises DNA.

8. (Currently Amended) A-The process according to claim 7, wherein the DNA comprises ds or ss-DNA.

9. (Currently Amended) A-The process according to claim 1, wherein the nucleic acid comprises RNA.

10. (Currently Amended) A-The process according to claim 9, wherein the RNA comprises rRNA, mRNA or total RNA.

11. (Currently Amended) A-The process according to claim 1, wherein the chaotrope comprises a guanidium salt, urea, an iodide, chlorate, perchlorate or (iso)thiocyanate.

12. (Currently Amended) A-The process according to claim 1, wherein the nucleic acid binding solid phase comprises a silica-based solid phase.

13. (Currently Amended) A-The process according to claim 1, wherein the solid phase is magnetic.

14. (Currently Amended) A-The process according to claim 1, wherein the source of  $\text{NH}_4^+$  or  $\text{NH}_3$  comprises a solution of ammonia.

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15. (Currently Amended) ~~A~~The process according to claim 1, wherein the source of  $\text{NH}_4^+$  or  $\text{NH}_3$  and the chaotrope are provided together as a solution.

16. (Withdrawn and Currently Amended) A kit for isolating nucleic acid from a nucleic acid-containing sample, which kit comprises:

- (a) a solution that comprises
  - (i) a chaotrope, and
  - (ii) a source of  $\text{NH}_4^+$  or  $\text{NH}_3$ ,

wherein the solution has a pH in the range of 8.5 to 9.5; and

(b) a nucleic acid binding solid phase capable of binding nucleic acid in the presence of the chaotrope.

17. (Withdrawn and Currently Amended) ~~A~~The kit according to claim 16, which further comprises a solution for eluting the nucleic acid from the solid phase.

18. (Withdrawn and Currently Amended) ~~A~~The kit according to claim 16, which further comprises a lysis solution for lysing biological samples.

19. (Withdrawn and Currently Amended) ~~A~~The kit according to claim 16, wherein the nucleic acid binding solid phase comprises a silica-based solid phase.

20. (Withdrawn and Currently Amended) ~~A~~The kit according to claim 16, wherein the solid phase is magnetic.

21. (Withdrawn and Currently Amended) ~~A~~The kit according to claim 16, wherein the source of  $\text{NH}_4^+$  or  $\text{NH}_3$  is ammonia.

22. (Canceled)

23. (New) The process according to claim 7, wherein the DNA comprises ss DNA.

24. (New) The process according to claim 9, wherein the RNA comprises total RNA.

25. (New) The process according to claim 9, wherein the RNA comprises rRNA.

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